



November 13, 2017

VIA ECF

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The Honorable Jose L. Linares
Chief United States District Court Judge
Martin Luther King Building and United States Courthouse
50 Walnut Street
Newark, NJ 07101

Re: United States v. Brian Steppig, 16-cr-00065-JLL

Dear Chief Judge Linares:

As Your Honor will recall, we represent Brian Steppig in the above-referenced indictment. Earlier today, the government announced its decision to dismiss the case against Steppig's former co-defendant, Vincent Opalewski. Prior to the government's action today, on October 30, 2017, counsel for Opalewski filed (a) a motion compelling the government to provide access to the case agent to explain the indecipherable portions of his handwritten notes and (b) an expert disclosure pursuant to the Court's September 12, 2017 Scheduling Order. The deadline previously set by the Court for the government's response to both filings is November 20, 2017. We joined only in the former motion.

Given the change in circumstances, we have conferred with the government and reached tentative agreement on a procedure that we are hopeful will obviate the need for the Court to decide the motion directed to the agent's notes. Accordingly we respectfully request that Your Honor adjourn the government's response to the note issue to December 11, 2017, which is the date previously scheduled for the government's replies to oppositions to any additional motions *in limine*, which should provide the parties sufficient time to resolve the matter. The issue of the expert disclosure is moot as we do not anticipate calling one.

Respectfully,

COZEN O'CONNOR

/s/
J. Bruce Maffeo
Nicole H. Sprinzen

SO ORDERED: 

DATED:  11/14/17